

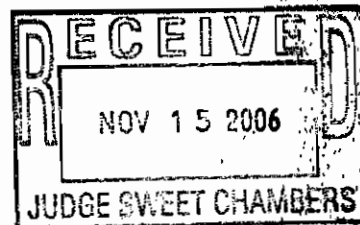


## U.S. Department of Justice

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November 15, 2006

By Facsimile

Honorable Robert W. Sweet  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1920  
New York, New York 10007

Re: Estate of Yaron Ungar v. Morgan Stanley, et al., 05 Civ. 3710 (RWS)

Dear Judge Sweet:

At the Government's request, the Court previously stayed the above-referenced action until twenty days after the Fifth Circuit acted on the Government's petition for a rehearing en banc in United States v. Holy Land Foundation, No. 04-11282. At that time, this Office indicated that it would promptly notify the Court of any action by the Fifth Circuit and would request an additional stay if necessary.

I write now to inform the Court that the Fifth Circuit this week granted the Government's petition for a rehearing en banc, stayed the mandate, and issued a scheduling order for briefing and oral argument. For the reasons discussed more fully in this Office's letter of April 10, 2006, a decision in the Fifth Circuit may directly impact the arguments the Government makes in this case. Accordingly, I respectfully request that the Court continue the stay in this matter until twenty days after the Fifth Circuit issues a decision following rehearing.

I thank the Court for its consideration of this request.

Respectfully,

MICHEL J. GARCIA  
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DOC #:  
DATE FILED: 11/16/06